

REMARKS

Applicants have carefully reviewed this application in light of the Final Office Action mailed May 8, 2003. Claims 1-39, 41-48, and 50-53 are pending in this application. Claims 1-39, 41-48, and 50-53 are rejected. Applicants have cancelled Claims 40 and 49 without prejudice or disclaimer. Applicants hereby cancel Claim 24 and amend Claims 1, 7, 8, 11-13, 26, 27, 29-33, 35-39, 41-44, 48, and 50 to further define various features of Applicants' invention. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 103(a)

Claims 1-4, 6-18, 20-30, 32-38, 41-48 and 50-53 stand rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over "Mini PCI Specification" (hereinafter "Specification") in view of U.S. Patent 5,737,582 issued to Tomoya Fukuzumi (hereinafter "Fukuzumi"). Applicants respectfully traverse and submit that Claims 1-4, 6-18, 20-30, 32-38, 41-48 and 50-53 are patentable over Specification in view of Fukuzumi.

Specification, specifically section 5-6 through 5-12, discloses various mechanical designs, or form factors, for attaching Type 1A, 1B, IIA, IIB, IIIA, IIIB, and III PCB cards to a host system.

Fukuzumi discloses "an IC card and an IC card system that enable a variety of functions to be added to the IC card" vis-a-vis individual key cards. The individual key cards are "detachable from the main body of an IC card" such that addition of a different individual key card changes the function of the IC card.

Applicants' amended Claim 1 calls for various features including "a mini-Peripheral Component Interconnect card, which defines the functionality of the modular bay enclosure, to a computer system."

Applicants' amended Claim 13 recites a computer system comprising, among other features, "a mini-Peripheral Component Interconnect connector operable to receive a mini-Peripheral Component Interconnect card that defines the functionality for a modular bay enclosure."

Applicants' amended Claim 27 recites a method including "attaching a mini-Peripheral Component Interconnect card to the mini-Peripheral Component Interconnect connector to allow a user to access the mini-Peripheral Component Interconnect card via the computer system such that the mini-Peripheral Component Interconnect card defines the functionality of the modular bay enclosure."

Applicants' amended Claim 39 calls for various features including "a removable card electrically coupled to the removable-card connector such that the removable card defines a functionality of the system."

Applicants' amended Claim 48 recites a method including "installing a removable card into the modular bay, such that the removable card is electrically coupled to the removable-card connector and the removable card defines the functionality of the modular bay, wherein the modular bay provides a housing for the removable card."

Neither Specification nor Fukuzumi make obvious Claims 1-4, 6-18, 20-30, 32-39, 41-48, and 50-53, as amended, of Applicants' invention because there is no motivation to combine Specification with Fukuzumi. For instance, even if Specification and Fukuzumi were to be combined, the combination would not disclose or suggest a "mini-Peripheral Component Interconnect (PCI) card, which defines the functionality of the modular bay enclosure, to a computer system" as recited by amended Claim 1. The "modular bay enclosure" of Applicants' invention provides a housing for the mini-PCI cards, while the cards provide the functionality of the enclosure. Neither Specification nor Fukuzumi alone or in combination suggest Applicants' invention.

Applicants' traverse the Examiner's assertion that the modular bay enclosure, of Applicants' invention is similar to "a modular IC card" of Fukuzumi. The modular IC card of Fukuzumi is an IC card having a function. A portion of the function of the IC card can be changed or added to with the subcard (Fukuzumi col. 2, ln. 7-14). In contrast, the mini-PCI card of Applicants' invention defines the functionality. Applicants therefore respectfully request the Examiner to reconsider and withdraw the rejection to and allow Claims 1, 13, 27, 39, and 48, as amended.

Claims 2-4 and 6-12 depend from and provide further patentable limitations to amended Claim 1. Claims 14-18 and 20-26 depend from and provide further patentable limitations to amended Claim 13. Claims 28-30 and 32-38 depend from and provide further patentable limitations to amended Claim 27. Claims 41-47 depend from and provide further patentable limitations to amended Claim 39. Claims 50-53 depend from and provide further patentable limitations to amended Claim 48. Because 1, 13, 27, 39, and 48, as amended, are deemed allowable, Claims 2-4, 6-12, 14-18, 20-26, 28-30, 32-38, 41-47 and 50-53 are allowable. Therefore, Applicants respectfully request the Examiner to reexamine, reconsider, withdraw the rejection to and allow Claims 1-4, 6-18, 20-30, 32-39, 41-48, and 50-53, as amended.

Claims 5, 19, and 31 were rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over Specification in view of Fukuzumi, and further in view of U.S. Patent 6,067,583 issued to Timothy G. Gilbert (hereinafter "Gilbert"). Applicants respectfully traverse and submit that Claims 5, 19, and 31 are patentable over Specification, Fukuzumi and Gilbert.

Claim 5 depends from and provides further patentable limitations to amended Claim 1. Claim 19 depends from and provides further patentable limitations to amended Claim 13. Claim 31 depends from and provides further patentable limitations to amended Claim 27. Because Claims 1, 13, and 27, as amended, are deemed allowable, Claims 5, 19, and 31 are allowable. Therefore, Applicants respectfully request the Examiner to reexamine, reconsider, withdraw the rejection to and allow Claims 5, 19 and 31.

CONCLUSION

Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the rejections and allowance of Claims 1, 7, 8, 11-13, 26, 27, 29-33, 35-39, 41-44, 48, and 50, as amended.

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(DC-01975)

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Applicants believe no fees are due; however, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0383 of Baker Botts L.L.P.

Respectfully submitted,

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Date: July 8, 2003

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